

ORDINANCE NO. 2013-53

AN ORDINANCE AMENDING ORDINANCE NO. 2005-24 FOR A SPECIAL USE PERMIT, SUP13-06 (AT&T Mobility), ON APPROXIMATELY 0.08 ACRES FOR AN COMMUNICATION TOWER & STRUCTURE, LEGALLY DESCRIBED AS BIG LEAGUE DREAMS SUB (2006) ABST 3, BLK 1, RES A, ACRES 37.390, GENERALLY LOCATED NORTH OF THE FARTHEST NORTH-EASTERN CORNER OF BIG LEAGUE DREAMS SPORTS PARK AND EAST OF CALDER ROAD, WITH THE ADDRESS BEING 1150 BIG LEAGUE DREAMS PARKWAY.

WHEREAS, at the May 1, 1999 General Election the qualified voters of the City of League City voted that staff proceed with the concept of zoning for the City; and

WHEREAS, on August 10, 1999, the City Council of the City of League City, Texas (the "Council") adopted Ordinance No. 99-52 amending the Code of Ordinances of the City of League City to add Chapter 125 regarding Zoning; and

WHEREAS, on August 30, 2005, the Council adopted Ordinance No. 2005-24 amending Chapter 125 of the Code of Ordinances of the City of League City and adopting zoning ordinances consistent with the Comprehensive Plan for the City of League City, Texas; and

WHEREAS, Section 125-50 provides that the City Council of the City of League City, Texas may grant a special use permit for special uses that are otherwise prohibited by this ordinance, and may impose appropriate conditions and safeguards to conserve and protect property and property values in the neighborhood; and

WHEREAS, the owner of a certain 0.08 acre tract of land, legally described as Big League Dreams SUB (2006), ABST 3, BLK 1, RES A, Acres 37.390, generally located north of the farthest north- eastern corner of Big League Dreams Sports Park and east of Calder Road, with the address being 1150 Big League Dreams Pkwy., which parcel is currently zoned "PS" (Public And Semi-Public District), is requesting a special use permit for a "Communication Tower & Structure" use; as depicted on the conceptual site plan in Exhibit "A", and described in the metes and bounds in Exhibit "B"

WHEREAS, the City Council of the City of League City, considered the recommendation of the Planning and Zoning Commission and duly conducted a public hearing as required by law; and

WHEREAS, the applicant presented adequate testimony that the proposed Communication Tower & Structure use is consistent with the standards for issuance for a special use permit; and

WHEREAS, the City Council of the City of League City has discretionary authority under Section 125-50 and applicable law to grant or withhold approval of a special use permit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. A special use permit is hereby granted and the 0.08 acre tract of land, legally described as Big League Dreams SUB (2006), ABST 3, BLK 1, RES A, Acres 37.390, generally located north of the farthest north- eastern corner of Big League Dreams Sports Park and east of Calder Road, with the address being 1150 Big League Dreams Pkwy in the City of League City is hereby conferred a permitted special use for an Communication Tower & Structure use within the boundaries as described in the metes and bounds in Exhibit "A" and depicted on the conceptual site plan in Exhibit "B" with the following conditions:

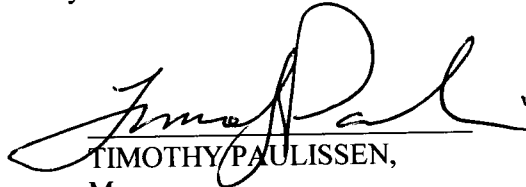
1. The applicant, AT&T Mobility shall provide a United States of America flag, which is to be maintained by the City, proper protocol must be followed for maintenance of the United States of America flag.
2. Minimum setback to the closest property line shall be 35 feet; all other setbacks shall meet the requirements of the ordinance.
3. All fencing shall consist of black PVC with a concrete mow strip and screened with evergreen shrubs, which should develop into full screening six (6) feet tall within twenty-four (24) months, on the north, west, east and south sides.
4. The tower shall be restricted to a maximum height of 120 feet with flush mounted antennas.

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED first reading the 17th day of December, 2013.

PASSED second reading the ___ day of _____, 2013.

PASSED AND ADOPTED the 17th day of December, 2013.


TIMOTHY PAULISSEN,
Mayor

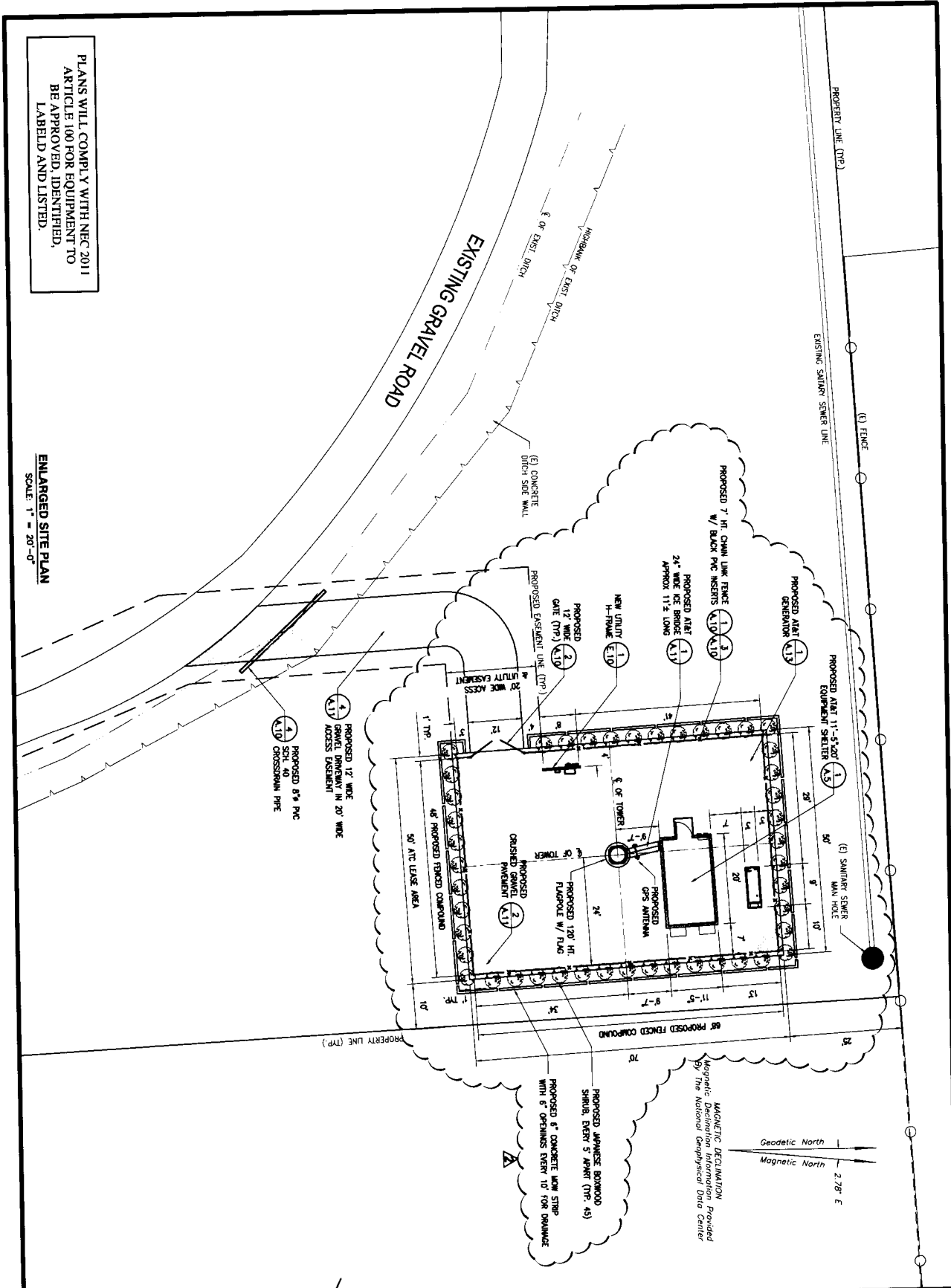
ATTEST:


DIANA M. STAPP,
CITY SECRETARY

SUSPENDED THE RULE AND ADOPTED ON FIRST AND FINAL READING

PLANS WILL COMPLY WITH NEC 2011
 ARTICLE 100 FOR EQUIPMENT TO
 BE APPROVED, IDENTIFIED,
 LABELED AND LISTED.

ENLARGED SITE PLAN
 SCALE: 1" = 20'-0"



PROFESSIONAL SEAL

STATE OF TEXAS

JOSEPH S. ABRUOD

69894

REGISTERED PROFESSIONAL ENGINEER

10/21/2013

6500 WEST LOOP SOUTH
 4TH FLOOR
 BELLARS, TEXAS 77401
 (713) 265-4640

INNOVATIVE ENGINEERING DESIGN

11322 Providence Blvd, Suite 130
 Katy, Texas 77458
 Tel: (281) 390-9999
 Fax: (281) 390-9996

TXRPM REGISTERED PROFESSIONAL ENGINEER

NO.	DESCRIPTION
1	DATE REVISION
2	DATE REVISION
3	DATE REVISION
4	DATE REVISION
5	DATE REVISION
6	DATE REVISION
7	DATE REVISION
8	DATE REVISION
9	DATE REVISION
10	DATE REVISION
11	DATE REVISION
12	DATE REVISION
13	DATE REVISION
14	DATE REVISION
15	DATE REVISION
16	DATE REVISION
17	DATE REVISION
18	DATE REVISION
19	DATE REVISION
20	DATE REVISION
21	DATE REVISION
22	DATE REVISION
23	DATE REVISION
24	DATE REVISION
25	DATE REVISION
26	DATE REVISION
27	DATE REVISION
28	DATE REVISION
29	DATE REVISION
30	DATE REVISION
31	DATE REVISION
32	DATE REVISION
33	DATE REVISION
34	DATE REVISION
35	DATE REVISION
36	DATE REVISION
37	DATE REVISION
38	DATE REVISION
39	DATE REVISION
40	DATE REVISION
41	DATE REVISION
42	DATE REVISION
43	DATE REVISION
44	DATE REVISION
45	DATE REVISION
46	DATE REVISION
47	DATE REVISION
48	DATE REVISION
49	DATE REVISION
50	DATE REVISION
51	DATE REVISION
52	DATE REVISION
53	DATE REVISION
54	DATE REVISION
55	DATE REVISION
56	DATE REVISION
57	DATE REVISION
58	DATE REVISION
59	DATE REVISION
60	DATE REVISION
61	DATE REVISION
62	DATE REVISION
63	DATE REVISION
64	DATE REVISION
65	DATE REVISION
66	DATE REVISION
67	DATE REVISION
68	DATE REVISION
69	DATE REVISION
70	DATE REVISION
71	DATE REVISION
72	DATE REVISION
73	DATE REVISION
74	DATE REVISION
75	DATE REVISION
76	DATE REVISION
77	DATE REVISION
78	DATE REVISION
79	DATE REVISION
80	DATE REVISION
81	DATE REVISION
82	DATE REVISION
83	DATE REVISION
84	DATE REVISION
85	DATE REVISION
86	DATE REVISION
87	DATE REVISION
88	DATE REVISION
89	DATE REVISION
90	DATE REVISION
91	DATE REVISION
92	DATE REVISION
93	DATE REVISION
94	DATE REVISION
95	DATE REVISION
96	DATE REVISION
97	DATE REVISION
98	DATE REVISION
99	DATE REVISION
100	DATE REVISION

EXHIBIT B

DESCRIPTION OR DEPICTION OF SITE

Locations are approximate. Tenant may, at its option, replace this exhibit with a copy of the survey of the Site.

LEASE SITE

0.08 ACRES (3,500 SQUARE FEET)
OUT OF RESTRICTED RESERVE "A", BLOCK 1
BIG LEAGUE DREAMS
STEPHEN F. AUSTIN SURVEY, ABSTRACT 3
GALVESTON COUNTY, TEXAS

Being 0.08 acres (3,500 square feet) of land, out of Restricted Reserve "A", Block 1, 37.39 acres, Big League Dreams, recorded under Volume 2005A, Page 79 Plat Records of Galveston County, Texas (P.R. G.C.T.), said 0.08 acre tract lying in the Stephen F. Austin Survey, Abstract 3 and being more particularly described by metes and bounds as follows;

COMMENCING at a found 5/8 inch iron rod in the north right-of-way (R.O.W.) of Big League Parkway, 70' Public R.O.W., marking the southwest corner of the Residual of Tract 1, conveyed to Grace M. Lewis Family Trust, recorded under Filmcode No. 019-01-1898, also being the southeast corner of said Reserve "A";

THENCE North 02°53'06" West, along the west line of said Residual of Tract 1, a distance of 1099.48 feet to a point in the east line of said Reserve "A";

THENCE South 86°27'07" West, a distance of 10.00 feet to a set 5/8 inch iron rod with cap, marking the southeast corner of a Lease Site, also being the POINT OF BEGINNING;

THENCE South 86°27'07" West, a distance of 50.00 feet to a set 5/8 inch iron rod with cap, marking the most northerly southeast corner of a Access & Utility Easement, also being the southwest corner of the herein described tract;

THENCE North 03°32'53" West, a distance of 70.00 feet to a set 5/8 inch iron rod with cap, marking the northwest corner of the herein described tract;

THENCE North 86°27'07" East, a distance of 50.00 feet to a set 5/8 inch iron rod with cap, marking the northeast corner of the herein described tract;

THENCE South 03°32'53" East, a distance of 70.00 feet to the POINT OF BEGINNING and containing a computed 0.08 acres (3,500 square feet) of land.

ACCESS & UTILITY EASEMENT
0.69 ACRES (30,105 SQUARE FEET)
OUT OF RESTRICTED RESERVE "A", BLOCK 1
BIG LEAGUE DREAMS
STEPHEN F. AUSTIN SURVEY, ABSTRACT 3
GALVESTON COUNTY, TEXAS

Being 0.69 acres (30,105 square feet) of land, out of Restricted Reserve "A", Block 1, 37.39 acres, Big League Dreams, recorded under Volume 2005A, Page 79 Plat Records of Galveston County, Texas (P.R. G.C.T.), said 0.69 acre tract lying in the Stephen F. Austin Survey, Abstract 3 and being more particularly described by metes and bounds as follows;

COMMENCING at a found 5/8 inch iron rod in the north right-of-way (R.O.W.) of Big League Parkway, 70' Public R.O.W., marking the southwest corner of the Residual of Tract 1, conveyed to Grace M. Lewis Family Trust, recorded under Filmcode No. 019-01-1898, also being the southeast corner of said Reserve "A";

THENCE along said R.O.W. and a curve to the right, having a radius of 1065.00 feet, an internal angle of 11°28'45" West, a chord bearing of South 81°22'31" West, a distance of 213.02 feet, an arc length of 213.37 feet to a point of tangency;

THENCE South 87°06'54" West, along said R.O.W., a distance of 119.50 feet to a point for corner, marking the southeast corner of a Access & Utility Easement, also being the POINT OF BEGINNING;

THENCE South 87°06'54" West, along said R.O.W., a distance of 20.00 feet to a point for corner, marking the southwest corner of the herein described tract;

THENCE North 03°26'21" West, a distance of 124.07 feet to an angle point of the herein described tract;

THENCE North 34°07'37" West, a distance of 90.47 feet to an external corner of the herein described tract;

THENCE North 55°52'23" East, a distance of 86.67 feet to an internal corner of the herein described tract;

THENCE North 35°16'04" West, a distance of 161.58 feet to a point of curvature;

THENCE along a curve to the right, having a radius of 33.88 feet, an internal angle of 145°28'33" West, a chord bearing of North 33°38'24" East, a distance of 64.72 feet, an arc length of 86.02 feet to a point of tangency;

THENCE South 87°12'25" East, a distance of 59.12 feet to a point of curvature;

THENCE along a curve to the left, having a radius of 231.70 feet, an internal angle of $41^{\circ}57'33''$ feet, a chord bearing of North $71^{\circ}07'46''$ East, a distance of 165.91 feet, an arc length of 169.68 feet to a point of tangency;

THENCE North $53^{\circ}59'40''$ East, a distance of 29.54 feet to an angle point of the herein described tract;

THENCE North $02^{\circ}12'43''$ West, a distance of 34.43 feet to a point of curvature;

THENCE along a curve to the right, having a radius of 75.29 feet, an internal angle of $16^{\circ}24'44''$ feet, a chord bearing of North $04^{\circ}53'17''$ East, a distance of 21.49 feet, an arc length of 21.57 feet to a point of tangency;

THENCE North $19^{\circ}18'36''$ East, a distance of 143.65 feet to an angle point of the herein described tract;

THENCE North $13^{\circ}21'12''$ East, a distance of 110.13 feet to a point of curvature;

THENCE along a curve to the left, having a radius of 138.79 feet, an internal angle of $38^{\circ}49'31''$ feet, a chord bearing of North $01^{\circ}08'47''$ East, a distance of 92.26 feet, an arc length of 94.05 feet to a point of curvature;

THENCE along a curve to the left, having a radius of 2954.42 feet, an internal angle of $03^{\circ}40'26''$ feet, a chord bearing of North $21^{\circ}21'41''$ West, a distance of 189.41 feet, an arc length of 189.44 feet to a point of tangency;

THENCE North $03^{\circ}32'53''$ West, a distance of 82.50 feet to a point for corner, marking the northwest corner of the herein described tract;

THENCE North $86^{\circ}27'07''$ East, a distance of 40.00 feet to a point for corner in the west line of a Lease Site, marking the northeast corner of the herein described tract;

THENCE South $03^{\circ}32'53''$ East, along said west line, a distance of 20.00 feet to a set 5/8 inch iron rod with cap, marking the southwest corner of said Lease Site, also being the most northerly southeast corner of the herein described tract;

THENCE South $86^{\circ}27'07''$ West, a distance of 20.00 feet to an internal corner of the herein described tract;

THENCE South $03^{\circ}32'53''$ East, a distance of 57.18 feet to a point of curvature;

THENCE along a curve to the right, having a radius of 3613.09 feet, an internal angle of $02^{\circ}59'30''$ feet, a chord bearing of South $21^{\circ}09'30''$ East, a distance of 188.63 feet, an arc length of 188.66 feet to a point of curvature;

THENCE along a curve to the right, having a radius of 158.79 feet, an internal angle of 38°30'19" feet, a chord bearing of South 01°18'23" West, a distance of 104.72 feet, an arc length of 106.71 feet to a point of tangency;

THENCE South 13°21'12" West, a distance of 110.34 feet to an angle point of the herein described tract;

THENCE South 19°18'36" West, a distance of 143.52 feet to a point of curvature;

THENCE along a curve to the right, having a radius of 55.29 feet, an internal angle of 15°22'25" feet, a chord bearing of South 04°22'07" West, a distance of 14.79 feet, an arc length of 14.84 feet to a point of tangency;

THENCE South 02°04'00" East, a distance of 45.58 feet to an external corner of the herein described tract;

THENCE South 53°59'40" West, a distance of 39.98 feet to a point of curvature;

THENCE along a curve to the right, having a radius of 251.46 feet, an internal angle of 41°45'34" feet, a chord bearing of South 71°16'55" West, a distance of 179.24 feet, an arc length of 183.27 feet to a point of tangency;

THENCE North 87°12'25" West, a distance of 62.09 feet to a point of curvature;

THENCE along a curve to the left, having a radius of 13.88 feet, an internal angle of 155°20'27" feet, a chord bearing of South 36°25'02" West, a distance of 27.13 feet, an arc length of 37.63 feet to a point of tangency;

THENCE South 35°16'04" East, a distance of 182.79 feet to an external corner of the herein described tract;

THENCE South 55°52'23" West, a distance of 87.08 feet to an internal corner of the herein described tract;

THENCE South 34°07'37" East, a distance of 75.95 feet to an angle point of the herein described tract;

THENCE South 03°26'21" East, a distance of 129.76 feet to the POINT OF BEGINNING and containing a computed 0.69 acres (30,105 square feet) of land.